UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

-----

RUI HE, et al., : Case. No. 1:15-CV-1869

Plaintiffs,

v. : OPINION & ORDER : [Resolving Docs. 122]

DAVOR ROM, et al.,

Defendants.

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Rui He represents a putative class of Chinese investors who invested in, and claimed to have been scammed by, Davor Rom and his companies Investor Income Properties, LLC, IIP Ohio, IIP Management, IIP Cleveland Regeneration, LLC, IIP Cleveland Regeneration 2, LLC, Assets Unlimited, LLC, and IIP Akron, LLC (collectively, "Defendants"). Discovery in the case is ongoing.

The Court approved the withdrawal of Defendants' counsel in February.<sup>1</sup> Defendants retained new counsel. Defendants' new attorneys now move to withdraw as counsel.<sup>2</sup> Plaintiffs oppose, citing delays in discovery and concerns about dilatory tactics.<sup>3</sup>

It is within the Court's discretion to approve the withdrawal of counsel.<sup>4</sup> Officers of business associations and organizations may not appear pro se in federal court to represent their organizations.<sup>5</sup>

<sup>&</sup>lt;sup>1</sup> Doc. 62.

<sup>&</sup>lt;sup>2</sup> Doc. <u>122</u>.

<sup>&</sup>lt;sup>3</sup> Doc. 123.

<sup>&</sup>lt;sup>4</sup> Brandon v. Blech, 560 F.3d 536, 537 (6th Cir. 2009).

<sup>&</sup>lt;sup>5</sup> <u>Dimercurio v. C.I.R.</u>, 103 A.F.T.R.2d 2009-1288 (6th Cir. 2009) (citing <u>Rowland v. California Men's Colony</u>, 506 U.S. 194, 202 (1993)); <u>Harris v. Akron Dep't of Pub. Health</u>, 10 F. App'x 316, 319 (6th Cir. 2001).

Case: 1:15-cv-01869-JG Doc #: 124 Filed: 04/25/16 2 of 2. PageID #: 2588

Case No. 1:15-CV-1869

Gwin, J.

Plaintiffs are correct that there have already been significant delays in this case.

Moreover, the Corporate Defendants cannot represent themselves before this Court. Given

upcoming discovery deadlines, the Court will not allow counsel to withdraw until substitute

counsel enters an appearance. The Court **DENIES** the motion by Defendant's attorneys to

withdraw.

IT IS SO ORDERED.

Dated: April 25, 2016

James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE

2